

Introduced: Mr. Herling
1st Reading: September 10, 2007
Passed: September 24, 2007
Posted: September 25, 2007
Effective: October 4, 2007

ORDINANCE NUMBER 1291

AN ORDINANCE TO AMEND CHAPTER 4, "BUILDINGS AND BUILDING REGULATIONS," OF THE GREENBELT CITY CODE IN ORDER TO UPDATE LANGUAGE TO BE CONSISTENT WITH AMENDMENTS TO THE INTERNATIONAL CODE COUNCIL INTERNATIONAL BUILDING CODE, TO ESTABLISH REQUIREMENTS FOR THE USE OF DUMPSTERS AND OF PORTABLE ON-DEMAND STORAGE (PODS) UNITS, AND TO REINSTATE THE REQUIREMENT TO ISSUE A PAPER INSPECTION LICENSE

WHEREAS, the City has adopted by reference the standards of the International Code Council (ICC) International Building Code and wishes to update its building regulations to be consistent with new requirements of the ICC Code; and

WHEREAS, the City wishes to establish regulations in the property maintenance code for the use of PODS units and dumpsters; and

WHEREAS, the City wishes to reinstate a previously existing requirement for the issuance of a paper inspection license, which provides a quick way to determine the licensing status of premises. NOW, THEREFORE,

BE IT ORDAINED by the Council of the City of Greenbelt, Maryland, that Chapter 4 of the City Code be amended to read as follows:

Chapter 4

BUILDINGS AND BUILDING REGULATIONS

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ARTICLE II.

BUILDING CONSTRUCTION

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Sec. 4-33. Adoption of standards by reference.

The ~~BOCA or~~ International Code Council (ICC) International Building Code, as amended from time to time and as adopted by Prince George's County, Maryland, and the Maryland Building

Rehabilitation Code, as amended from time to time and as adopted by the State of Maryland, shall be the Official Building Code of the City of Greenbelt.

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Sec. 4-37. Construction safety; stop-work orders.

(a) All equipment, tools and material left at a project site overnight shall be left secured in a nonhazardous condition in order to protect the safety of the workers and the general public.

(b) All excavations and construction shall comply with American Standard Safety Code for Building Construction, American Standards Association, or other applicable standards as adopted by the State of Maryland and by the Prince George's County Department of Environmental Resources.

(c) In the event that a condition exists at a construction-site that constitutes an immediate and dire danger to persons or property, the city manager or code official is authorized to issue a stop-work order, directing the cessation of work until the danger can be abated.

(d) The city manager or the code official is authorized to issue a stop-work order for any work or construction for which a permit has not been issued as required by section 4-34.

(e) Failure to comply with a corrective order, stop work order, violation notice or any other order issued by a code official for violations of this section is considered a municipal infraction and subject to a fine of five hundred dollars (\$500.00).

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ARTICLE III.

PROPERTY MAINTENANCE CODE

DIVISION 1.

IN GENERAL

Sec. 4-51. Intent.

This article establishes the minimum requirements for initial and continued occupancy of all buildings and does not replace or modify requirements otherwise established for the construction, repair, alteration, or use of buildings, equipment, or facilities, except as provided in this chapter.

Sec. 4-52. Definitions; word usage.

(a) The following definitions shall apply in the interpretation and enforcement of this article:

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Code officer/official shall mean a civilian city employee or agent empowered to enforce the city Code.

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Dumpster shall mean a mobile garbage bin or trash receptacle used or intended to be used for the collection of quantities of garbage, refuse, debris, waste and rubbish, usually greater than one cubic yard in area.

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Portable on-Demand Storage or PODS shall mean any structure, unit, enclosure, crate or the like used or intended to be used for the storage of property, materials, furniture, merchandise, or other goods, which does not have a permanent foundation or utility service and is intended to be relocated either with or without the stored contents.

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Shed shall mean any structure located on a property for which there is an existing principal structure or use, which is used or intended to be used for storage, which may or may not include a permanent foundation and/or utility service, and which is not intended to be used for the storage or parking of an automobile.

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DIVISION 2.

ADMINISTRATION

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Sec. 4-65. Referenced codes and standards.

The codes and standards referenced in this Code shall be those that are listed in division 8 of this chapter or other codes adopted by reference and considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the referenced standards, the provisions of this Code shall apply.

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DIVISION 3.

GENERAL REQUIREMENTS

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Sec. 4-125. Weeds.

All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided; however, this term shall not include cultivated flowers and gardens. Upon failure to comply with any corrective order, notice of violation, or other order issued by a code official for the City of Greenbelt, any duly authorized employee of the city or contractor hired by the city shall be authorized to enter upon the subject property and cut and destroy the weeds growing thereon, and the costs of such cutting and removal shall be paid by the owner or agent responsible for the property.

Sec. 4-126. Rodent harborage.

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

Sec. 4-127. Exhaust vents.

Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

Sec. 4-128. Accessory structures.

(a) All accessory structures, including detached garages, sheds, fences and walls, shall be maintained structurally sound and in good repair.

(b) All accessory structures shall conform in every way with the requirements of the Prince George's County Zoning Ordinance, as may be amended from time to time, except for accessory structures considered legal non-conforming structures, as defined by the Prince George's County Zoning Ordinance.

Sec. 4-128.5. Portable storage units.

Portable storage units (PODS) shall conform in every way with the requirements of the Prince George's County Zoning Ordinance, as may be amended from time to time. Portable storage units (PODS) are prohibited on all public property and public rights-of-way unless permitted by the city.

Sec. 4-129. Gates.

Gates that are required to be self-closing and self-latching in accordance with the International Building Code shall be maintained such that the gate will positively close and latch when released from a still position of six (6) inches from the gatepost.

Sec. 4-130. Swimming pools.

Swimming pools shall be maintained in a clean and sanitary condition and in good repair.

Sec. 4-130.5 Swimming pool enclosures

Private swimming pools, hot tubs and spas containing water more than 36 inches in depth shall be completely surrounded by a fence or barrier at least 72 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

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Sec. 4-151. Doors.

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with section 4-244.

Sec. 4-151.5 Building Security.

(a) Doors, windows and hatchways for dwelling units or rooming units shall be provided with devices designed to provide security for the occupants of the premises.

(b) Doors providing access to a dwelling unit or rooming unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be capable of being readily opened from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than one inch. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

(c) Operable windows located in whole or in part within six feet above ground level or a walking surface below, which provide access to a dwelling unit or rooming unit that is rented, leased or let, shall be equipped with a window sash locking device.

(d) Basement hatchways that provide access to a dwelling unit or rooming unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

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Sec. 4-161. Interior doors.

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers, or tracks as intended by the manufacturer of the attachment hardware.

- (1) *Locking devices.* Any swinging entrance door to an individual apartment/multi-family dwelling unit shall be provided with a deadbolt locking device having a minimum throw of not less than ~~five eighths (5/8) of an~~ one inch with the deadbolt capable of being activated by key from the outside and by turn-knob from the inside, so as to provide reasonable security against unauthorized entry. The exterior door, door hinge, door lock and door latch for each unit shall be maintained in functional condition.
- (2) *Visual detection device.* Unless a visual detection device (magnifying peephole) is currently provided, all swing entrance doors to any individual apartment/multifamily dwelling unit shall be equipped with a visual detection device that will provide a 180-degree viewing angle so as to allow the occupant of a dwelling unit to inspect the entrance area outside the door while the door is closed.
- (3) *Auxiliary use doors.* Where exterior entrance doors to buildings are not secured, entrance doors to laundry rooms, storage areas, trash rooms, and similar areas within multifamily dwellings shall be provided with locking hardware, and the respective apartment tenants provided with access keys.

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Sec. 4-165. Disposal of rubbish.

Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved garbage containers. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

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Sec. 4-169. Garbage containers.

The owner or operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal. The term garbage container shall mean any container used or intended to be used for the storage of garbage, waste,

litter, refuse and debris until such materials are removed from the premises for disposal. Garbage containers, including dumpsters, shall be emptied, cleaned, and/or deodorized as necessary, to prevent the container from becoming malodorous. Litter, refuse, waste and debris shall not be allowed to accumulate around the dumpster. All litter, refuse, waste and debris shall be deposited in such a manner as to prevent spilling or blowing out of the container. The garbage container must have a closeable top, and doors (if applicable), and shall be maintained so that all openings are able to be closed and secured. All commercial garbage containers, including dumpsters, shall prominently display on the exterior of the container the name of the company responsible for service of the container, as well as a local phone number at which a party responsible for the service and maintenance of the container may be contacted.

Sec. 4-169.5. Screening requirements.

All dumpsters, trash pads, and trash collection or storage areas shall be screened from all adjoining properties except for those on which industrial, warehouse/distribution, or resource recovery uses are permitted; from all public roads; if located within a residential development, from all outdoor living and recreation areas, parking areas, and entrance drives within the development; and if located within a commercial development, from all outdoor recreation areas, retail parking areas, and entrance drives within the development. Screening provided shall conform to the requirements of the Prince George's County Landscape Manual, the requirements of the Prince George's County Zoning Ordinance, and County and City permitting requirements.

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DIVISION 4.

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

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Sec. 4-184. Cooking facilities.

Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

Exception: Devices such as coffee pots and microwave ovens shall not be considered cooking appliances. Other exceptions may ~~Where~~ specifically be approved in writing by the code official.

Sec. 4-190. Bedroom requirements.

Every bedroom shall comply with the following requirements:

- (1) *Area for sleeping purposes.* Every bedroom occupied by one (1) person shall contain at least seventy (70) square feet of floor area, and every bedroom occupied by more than one (1) person shall contain at least fifty (50) square feet of floor area for each occupant thereof.

- (2) *Access from bedrooms.* Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces, except for units that contain fewer than two (2) bedrooms.
- (3) *Water closet accessibility.* Every bedroom shall have access to at least one (1) water closet and one (1) lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one (1) water closet and lavatory located in the same story as the bedroom or an adjacent story.
- (4) *Other requirements.* Bedrooms shall comply with the applicable provisions of this Code, including but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this division; the plumbing facilities and water-heating facilities requirements of division 5; the heating facilities and electrical receptacle requirements of division 6; and the smoke detector and emergency escape requirements of division 7.
- (5) Basement bedrooms in one and two family dwellings and townhouses shall comply with the minimum requirements for emergency egress as defined in the International Residential Code.

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DIVISION 5.

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

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Sec. 4-214. Water heating facilities.

Water heating facilities shall be properly installed and maintained and shall be capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than ~~120°F (49°C)~~ 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

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DIVISION 7.

FIRE SAFETY REQUIREMENTS

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Sec. 4-242. In general.

A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.

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Sec. 4-256. In general.

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be properly installed and maintained at all times in accordance with the International Fire Code.

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~~Sec. 4-266. Smoke detectors.~~

~~Existing Group R occupancies not already provided with single station smoke alarms shall be provided with approved single station smoke alarms.
(Ord. No. 1216, 6-10-02)~~

~~Sec. 4-267. Installation.~~

~~Approved single station smoke alarms shall be installed in existing dwelling units, congregate residences, and hotel and lodging house guestrooms. Installation shall be in accordance with the International Fire Code.~~

Sec. 4-266. Smoke alarms.

Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

- (1) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
- (2) In each room used for sleeping purposes.
- (3) In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.

Sec. 4-267. Interconnection.

Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors close.

Exceptions:

- (1) Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.
- (2) Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

Sec. 4-268. Power source.

~~In Group R occupancies, single station smoke alarms shall be battery operated or shall receive primary power from the building wiring, provided that such wiring is served from a commercial source. When power is provided by the building wiring, the~~ and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. ~~Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.~~

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DIVISION 8.

REFERENCED STANDARDS

Sec. 4-279. In general.

The following codes and standards, as amended from time to time, shall be hereby adopted by reference:

- (1) American Society of Mechanical Engineers (ASME) Safety Code for Elevators and Escalators.
- (2) International Building Code.
- (3) International Code Council Electrical Code.

- (4) International Fire Code.
- (5) International Fuel Gas Code.
- (6) International Mechanical Code.
- (7) International Plumbing Code.
- (8) International Zoning Code.
- (9) Maryland Building Rehabilitation Code.
- (10) Fire Safety Code of Prince George's County.
- (11) ASTM F1346-91 Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs.

Sec. 4-280. Fire safety laws.

Division 4 of Subtitle 11 of the Fire Safety Law of Prince George's County, Maryland, as amended from time to time, is incorporated herein and adopted by reference. The appropriate county inspector or a qualified city code official may perform inspections, and violations shall be enforced in accordance with the provisions of this chapter. Nothing herein shall be construed as preventing county personnel from performing inspections and enforcing the county's fire safety laws.

ARTICLE IV.

INSPECTIONS, VIOLATIONS, FEES AND PENALTIES

Sec. 4-281. Statement of policy.

Whereas there are numerous dwellings, dwelling units, and rooming house units within the city which are rented, leased or otherwise let to persons other than the owners thereof; and whereas there are numerous nonresidential (commercial, institutional, retail and industrial) units within the city to which the public has access for the purpose of employment, gathering, and/or transacting business, and within which other activities including the storage of or fabrication of dangerous or potentially dangerous materials occurs; and whereas the city council of the city have the gravest responsibility for the protection of the health, safety, and welfare of all of the citizens of said city and for those visitors and transients seeking accommodations therein; and whereas within this chapter is established the Property Maintenance Code for the City of Greenbelt for the protection of the citizens of said city, and those persons seeking accommodations therein, it is declared to be the policy and intent of the city council that all rental dwelling units, rooming house units and hotel, motel and tourist units and nonresidential premises shall be inspected and licensed and regulated in such a manner as to ensure the

protection of the health, welfare, and safety ~~and morals~~ of those persons residing or visiting therein and, further, that said inspections, licensing and enforcement of regulations shall be undertaken in the manner set forth herein below. It is further the intent of the City Council that the Property Maintenance Code shall apply to all units, structures, buildings and properties within the city.

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Sec. 4-283. Annual inspections; occupancy license required.

(a) *Residential.* Before the owner or agent of any rental dwelling unit, ~~rooming unit, unit used in the operation of a day care facility or tourist facility within the confines of the city~~ shall operate, rent, lease or otherwise let said unit and permit it to be occupied by any person or persons other than himself/herself and members of his/her immediate family, he/she must allow such unit to be inspected by a code official, who shall determine that said unit complies with the requirements of this chapter and other requirements as relevant to the health, safety and welfare of the unit and its occupants, prior to the occupancy of said unit. Every such unit shall be reinspected no less frequently than once every twelve (12) months, and the owner of said unit shall maintain such unit in compliance with the requirements of this chapter. Upon a determination by the code official that the dwelling unit complies with all requirements of the city as set forth in the city code, an occupancy license shall be issued which will indicate that the subject premise complies with code requirements as referenced herein. It shall be unlawful to allow occupancy of any rental dwelling unit without first securing from the city an occupancy license. All occupancy licenses shall be issued to the owner of the premises. Occupancy licenses shall be valid for a period of not more than one (1) year.

(b) *Nonresidential, commercial, day care facility, and institutional premises.* Every nonresidential, commercial, day care and institutional building, unit or structure, its associated interior common and service areas and its associated exterior property shall be inspected by the code official no less frequently than once every twelve (12) months to determine that said building, unit or structure and property complies with the requirements of this chapter and all other requirements relevant to the health, safety and welfare of the building, unit or structure and its occupants or users, and that said structure, unit or building and associated interior common and service areas and exterior property shall be determined by the code official to be in compliance with the requirements of this chapter. Upon a determination by the code official that the premises complies with all requirements of the city as set forth in the city code, an occupancy license shall be issued which will indicate that the subject premise complies with code requirements as referenced herein. It shall be unlawful to allow occupancy of any premises without first securing from the city an occupancy license. All occupancy licenses shall be issued to the owner of the premises. Occupancy licenses shall be valid for a period of not more than one (1) year.

(c) All corporate owners and owners residing outside the state shall have an agent who shall reside within the state, or within fifty (50) miles of the city, and shall certify the name, address and telephone number of such agent and shall keep such information current. Said agent shall be designated to receive and accept notices on behalf of the owner.

Sec. 4-284. Compliance with chapter; occupancy license issuance and renewal.

(a) Every residential, day care facility, and non-residential unit, structure, premises or property, whether or not subject to an annual licensing and inspection, shall satisfy the following criteria, prior to issuance or renewal of an occupancy license, as determined by the city manager or code official:

- (1) Said unit and/or property complies with all of the applicable laws and ordinances of the State of Maryland, Prince George's County and the City of Greenbelt. At any time that the city manager or the code official shall determine that any such unit and/or property does not comply with the provisions of all applicable law as defined by this chapter, it shall order the owner or agent thereof to render compliance within a reasonable period of time. If such compliance is not provided, the city manager and/or code official may take all actions provided by this chapter to achieve compliance as allowed under applicable provisions of law.
- (2) The owner of said unit has remitted all required fees as established by the city.
- (3) The owner of said unit has submitted a complete, accurate and signed ~~inspection~~ application.
- (4) If a day care facility, the day care provider and owner of the unit have demonstrated that said facility has been licensed by the appropriate authorities and said facility is being operated in conformance with all applicable federal, state, county and local law.

(b) All ~~inspection~~ fees shall be paid prior to the date of the scheduled inspection. Occupancy licenses are renewable only upon payment of required fees and compliance with the provisions of this chapter.

(c) ~~The owner of every residential, non-residential, commercial, retail establishment and institutional unit, structure or property shall complete an inspection application, which shall be due no less than ten (10) days prior to the date of the scheduled annual inspection.~~ Applications and fees for renewal of occupancy licenses are due sixty (60) days prior to the expiration of the occupancy license. Each ~~inspection~~ application shall contain such information as necessary to identify the location of the subject property, the owner and the owner's address, the tenant (if not the owner), and the owner's agent, if required. Failure to return the completed application and all required fees as set forth in this article shall be a violation, and subject to the issuance of a municipal infraction citation as set forth in this chapter.

Sec. 4-285. Violations and penalties.

(a) No unit or units, structure, building or property to which any of the terms of this chapter are applicable shall be occupied by any person or persons (with the exception of unless a private residential dwelling unit occupied by only the owner thereof and members of his/her family) unless an ~~inspection~~ application has been completed, the required inspection fees paid, the required annual property inspection (if required) completed, ~~and~~ the unit and property found

by the code official to be in compliance with the requirements of this chapter, and a valid occupancy license issued by the city that remains in full force and effect.

(b) Any such unit ~~or units, structure, building or property~~ for which an ~~inspection~~ application has not been ~~completed~~ submitted to the city, required ~~inspection~~ fees not paid, annual property inspection (if required) not completed, and the unit, ~~units, structure, building or~~ and property not found by the code official to be in compliance with the requirements of this chapter and for which an occupancy license has not been approved or for which an occupancy license has been revoked, suspended or has expired, shall be vacated immediately. Any person violating any of the provisions of this chapter shall be subject to a municipal infraction as established by the city.

(c) Each day that a violation continues shall be deemed a separate offense.

Sec. 4-286. Reserved.

Sec. 4-287. Fees and penalties.

(a) ~~Inspection fees~~ Fees, if not otherwise set forth in this chapter, shall be established by resolution of the city council.

(b) For any nonresidential addresses, under the same ownership and utilized for a single business, adjacent to one another and connected by means of door or corridor, fees shall be calculated as if it were a single business address.

(c) Churches, synagogues, parsonages, social halls and church schools shall be exempt from inspection fees.

(d) Violations of this section shall be municipal infractions and are subject to fines as established by resolution of the city council.

(e) Fees and penalties established for violations of this article which are not paid as required shall be included in the nonpayer's real property tax bill and shall be collected as city taxes are collected, and the charges shall be due and payable at the time of payment of the tax bill. In the case of a municipal infraction, the fine shall not be deemed due and owing the city until such time as a judgment or order therefore is issued by a court of competent jurisdiction. Such charges shall constitute a lien on the nonpayer's real property.

Sec. 4-288. Revocation; reinstatement; expiration

(a) At any time that the city manager or code official shall determine that any unit, units, structure, building or property does not comply with the provisions of all applicable law, the owner or agent thereof shall be ordered or directed to render compliance within a reasonable period of time. If such compliance is not provided, the city manager or code official may order the revocation of the occupancy license for the unit, units, structure, building or property and proceed with enforcement under applicable provisions of law.

(b) Should the occupancy permit for a unit, units, structure, building or property be revoked because of noncompliance with the provisions of the city code, such revocation may be appealed to the board of appeals under the provisions of the this chapter. If said license shall have been revoked for violations of other laws or ordinances, appeal may be made only to a court of competent jurisdiction of this state.

(c) In the event that an occupancy license is allowed to expire by fault of the property owner due to the failure to pay the required fees by payment due date, or for failure to comply with correction orders or notices of violation without a reasonable cause, a reinstatement fee of \$100 per licensed address shall be imposed as established by the city and shall be payable with all other fees. The property may be subject to reinspection prior to reinstatement of an occupancy license, for which a reinspection fee of \$125 will be imposed.

(d) In the event that an occupancy license is revoked for cause, the occupancy license must be reinstated and a reinstatement fee of \$200 per licensed address paid, and all codes of the city must be met before the property may again be occupied.

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PASSED by the Council of the City of Greenbelt, Maryland, at its regular meeting of September 24, 2007.

Judith F. Davis, Mayor

ATTEST:

Kathleen Gallagher, City Clerk

Key:

Underscoring indicates language added to existing law.

~~Overstriking~~ indicates language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.